87R8424 CLE-D

By:  Lambert H.C.R. No. 39

CONCURRENT RESOLUTION

WHEREAS, The Windfall Elimination Provision (WEP) was enacted by Congress in 1983 to help shore up the financing of the Social Security program; and

WHEREAS, Intended to eliminate a "windfall" for certain workers, the WEP reduces the Social Security benefits of a person who also receives a pension from a government job not covered by Social Security; and

WHEREAS, The WEP penalizes teachers, firefighters, police officers, and other government employees who choose to serve their communities in jobs not covered by Social Security; when these public servants earn Social Security benefits from other work, they should receive those benefits in full without being penalized because of their public service; and

WHEREAS, This punitive provision affects a teacher who does not earn Social Security benefits working in the public schools but does earn them working part-time or during the summer; under the WEP, the teacher's Social Security benefits are reduced by as much as 40 percent even though the teacher paid into the Social Security system just like other workers; likewise, the provision discourages qualified, talented individuals in the private sector from choosing public service if they have to sacrifice earned Social Security benefits from their private sector work; and

WHEREAS, A very real inequity is created for police officers, who often retire earlier than other government employees and begin a second career that requires them to pay into the Social Security system; police officers who had second careers face as much as a 40 percent cut to their Social Security benefits; and

WHEREAS, The WEP unfairly reduces the Social Security benefits of many Texans who devoted much of their careers to public service; now, therefore, be it

RESOLVED, That the 87th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to eliminate the Windfall Elimination Provision from the Social Security program; and, be it further

RESOLVED, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.